

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named	
Inventor : Stephen T. Kuehn	Confirmation No.1653
Appln. No.: 09/694,293	Allowed: September 18, 2007
Filed : October 23, 2000	Group Art Unit: 3734
For : MITRAL AND TRICUSPID VALVE REPAIR	Examiner: Nguyen, Vi X
Docket No.: S16.12-0101	

**PETITION TO WITHDRAW APPLICATION FROM
ISSUE UNDER 37 C.F.R § 1.313(c)**

FILED ELECTRONICALLY
April 16, 2008

Sir:

Applicant respectfully petitions the Commissioner to withdraw the above-referenced application from issue for consideration of references cited in a Japanese Office Action in related Japanese Application No. 2002-537223. Submitted herewith is a Request for Continued Examination and an Information Disclosure Statement with Form 1449 listing the references for consideration by the Examiner.

Applicant paid the Issue Fee in the above-referenced application on December 18, 2007. Applicant's undersigned counsel received the Japanese Office Action, dated December 11, 2007, in the related Japanese patent application after payment of the issue fee. PCT Publication No. WO 98/33443 and PCT Publication No. WO 99/40851 were cited in the Japanese Office Action. While it is believed that the allowed claims remain patentable over this art cited in the Japanese Office Action, it is also believed that this art should be considered by the Examiner. Applicant respectfully requests withdrawal of the present case from issue for consideration of the art cited in the Japanese Office Action in the present application.

Submitted herewith is the petition fee of \$130.00 pursuant to 37 C.F.R. § 1.17(h).

The Director is authorized to charge any fees required by this document or credit any overpayment to Deposit Account Number 23-1123.

Any inquiry regarding this document should be directed to the undersigned attorney of record.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

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